

### **REMARKS**

Claims 1-7, 9-11 and 13 are now pending in the application. By this amendment, claims 8 and 12 have been cancelled, without prejudice or disclaimer of the subject matter contained therein, claims 9-11 have been amended, and new claim 13 has been added. The basis for the amendments and new claim can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### **ALLOWABLE SUBJECT MATTER**

Applicant respectfully acknowledges the Examiner's allowance of Claims 1-7.

### **REJECTIONS UNDER 35 U.S.C. § 102**

Claims 8, 9 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by (U.S. Pat. No. 4,533,894) to Bishop et al., (Bishop).

This rejection is respectfully traversed.

Independent claims 8 and 12 have been cancelled. Claim 9 has been amended to depend from new independent claim 13. Applicant respectfully submits that this rejection is moot. Accordingly, withdrawal of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop.

This rejection is respectfully traversed.

Independent claims 8 and 12 have been cancelled. Claims 10 and 11 now depend from new independent claim 13. Applicant respectfully submits that this rejection is moot. Accordingly, withdrawal of the rejection is respectfully requested.

### **NEW CLAIM 13**

Claim 13 calls for bimetal snap disc thermostat including a body having a plurality of apertures, with at least one aperture including "at least one tapered surface." The specification discloses inclined slots (62, 68) on either side of a bridge portion (44) and a pair of radially outwardly inclined wall portions (84, 86, 88, 90). The inclined wall portions (84, 86, 88, 90) slope towards, and cooperate with, the inclined slots (62, 68) to facilitate insertion of terminals into the body, as discussed in Applicant's Response filed on February 13, 2004. See Specification at 8, lines 12-19, and Figs. 2 and 3.

The Examiner has allowed claims 1-7 and has indicated, as a reason for the allowance, that the cited art of record fails to teach "at least one tapered surface" in combination with the other limitations of the claimed invention. Applicant, therefore, respectfully submits that the thermostat of new independent Claim 13, which claims "a body having a plurality of apertures, *at least one aperture including at least one tapered surface*" is likewise allowable over the art.

As well, dependent claims 9-11, which have been amended to depend from new claim 13, are also believed to be in condition for allowance. The Examiner is respectfully requested to pass this case to allowance.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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